

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- June 15, 1966

Appeal No. 8783 W. Edwards Deming et ux, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on July 18, 1966.

EFFECTIVE DATE OF ORDER -- August 23, 1966

ORDERED:

That the appeal for a variance from the side yard requirements of the R-1-B District to permit enlargement of front entrance to dwelling at 4924 Butterworth Place, NW., lot 813, square 1485, be granted.

FINDINGS OF FACT:

- (1) Appellant's property is located in an R-1-B District.
- (2) The lot has a 40 foot frontage on Butterworth Place and a depth of 109.55 feet and abuts a 16 foot public alley in the rear. The area of the lot is 4,382 square feet.
- (3) The lot is improved with a two-story brick detached dwelling.
- (4) The property now has two 6-foot side yards. Section 3305.1 of the Zoning Regulations requires an 8-foot side yard for dwellings in the R-1-B District.
- (5) Appellant proposes to erect an entrance foyer and powder room with bath facilities on the first floor at the present location of the front entrance. The addition would be 7' x 10' -2" in size and would not extend beyond the present side walls of the building.
- (6) Opposition was registered at the public hearing to the granting of this appeal. The record contains two letters opposing the granting of this appeal. The principal opposition was expressed by the next-door neighbor, whose objection was principally on the ground of appearance.

(7) Appellant's contractor stated that it would be preferable to place the addition on the front rather than the rear of the house, as a rear addition would detract from the appearance, there being already an enclosed den area across the entire rear of the property. This statement is refuted by the next-door neighbor.

OPINION:

The Board is of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations. Appellant's existing side yard has never been the required eight feet and the proposed addition does not decrease the width of the existing side yard.

We are further of the opinion that the granting of this appeal will have no adverse effect upon neighboring and adjoining property and that the granting of this appeal is consistent with the purpose and intent of the zone plan as embodied in the Zoning Regulations and Map.